THE HON'BLE SRI JUSTICE K.C.BHANU

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WRIT PETITION NO.20571 OF 2005

DT.26-07-2005

Between:

Toddy Tappers Cooperative Society,

Nizamabad Group No.1,

Nizamabad District rep. by its President,

Sri A.Shankar Goud, s/o Narsa Goud,

Aged about 48 years, R/o Nizamabad.

… Petitioner

A n d

1. The Proh. & Excise Inspector,

Excise Station, SHO, Nizamabad and 2 others

… Respondents

THE HON'BLE SRI JUSTICE K.C.BHANU

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WRIT PETITION NO.20571 OF 2005

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ORDER:

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The writ petition is filed seeking a mandamus to declare the action of the

respondents in not sending one of the samples to the independent laboratory i.e., Institute of Preventive Medicine Public Health Food Laboratory/State Food Laboratory, Nacharam, Hyderabad, drawn in Cr.No.259/2005-2006, dated 30-06-2005, for analysis, as provided under Rule 24 of the A.P.Excise (Arrack and Toddy Licences General Conditions) Rules, 1969, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition and Excise appearing for the respondents.

Without entering into the merits of the case, I consider it appropriate to dispose of the writ petition directing the respondents to take effective steps for sending one of the samples drawn in Cr.No.259/2005-2006, dated 30-06-2005 to the independent laboratory for analysis. If for any reason the samples are deposited in the Court, the respondents shall take steps, making a request to the Court, to forward the sample to the independent laboratory.

Accordingly, the writ petition is disposed of. No costs.

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26-09-2005.

Lrkm.